

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 OMB-01 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

/052 W

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R 071116Z OCT 76

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 8832

USIA WASHDC

INFO AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

LIMITED OFFICIAL USE NEW DELHI 14785X

E.O. 11652:N/A

TAGS: PINS, PINT, IN

SUBJ: INDIAN EXPRESS

REF: NEW DELHI 14649

1. THE INDIA EXPRESS WENT TO COURT LATE WEDNESDAY AND WON ANOTHER VICOTRY AGAINST THE GOVERNMENT'S EFFORTS TO FORCE IT TO BEND TO CURRENT WINDS.

2. THE COURT ORDERED ALL SEALS REMOVED FROM THE PRESSES AND GAVE THE GOVERNMENT TWO WEEKS TO FILE FURTHER DOCUMENTS IN SUPPORT OF THEIR CASE. AS A RESULT THE DELHI EDITION CAME OUT THURSDAY MORNING ON SCHEDULE.

3. THE EXPRESS ATTORNEYS ARGUED ON THE NORROW GROUNDS THAT THE NEWSPAPER AND THE PRESSES ARE OWNED BY A BOMBAY COMPANY, WHILE THE BUILDING AND GROUNDS AGAINST WHICH MUNICIPAL AUTHORITIES ARE CLAIMING ADDED TAX PAYMENTS BELONG TO A SEPARATE (BUT AFFILIATED) CORPORATION DOING BUSINESS IN MADRAS. UPHOLDING THIS CONTENTION, THE JUDGE IN EFFECT

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CALLED UPON THE GOVERNMENT TO PROVE OTHERWISE IF THEY

COULD. MEANWHILE, HE AGREED, IT IS UNFAIR TO PENALIZE
THE NEWSPAPER COMPANY (BOMBAY) FOR ANY FAILINGS OF THE
BUILDING COMPANY(MADRAS).

4. THE MUNICIPAL AUTHORITIES WHO ARE ACTING AS SURROGATES
FOR THE GOI IN THIS ROUND OF THE ONGOING AFFAIR, WERE
REPRESENTED BY THE DISTINGUISHED ATTORNEY ASHOKE SEN,
A FORMER LAW MINISTER WHO ALSO REPRESENTED PRIME MINISTER
GANDHI IN HER ELECTION APPEAL BEFORE THE SUPREME COURT.
ACCORDING TO EYEWITNESSES, MR. SEN MADE SOMETHING LESS
THAN AN OUTSTANDING PERFORMANCE IN TRYING TO ARGUE
HIS WEAK CASE. SAXBE

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